

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 1334 of 1999

DATE: 04-04-2007

Between :

Jalram Lapudia and 2 others.

... Petitioners

And

The District Collector,
Nalgonda and 2 others.

... Respondents

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 1334 of 1999

ORDER:

This writ petition is filed with the following prayer:

“To issue a writ of Mandamus declaring the action of the respondents in seeking to lay road from within Sunyapadu village, Nalgonda District demolishing the residential houses bearing No.1-68 (Old) 1-85 New, 1-26 (old) 1-34 New situated at Sunyapadu village, Nalgonda District belonging to the petitioners closing down the drinking water well, affecting the village deity, demolishing the primary school without acquiring the land by following due process of law as arbitrary, illegal, unconstitutional and violative of Articles 14, 21 and 300(A) of the Constitution of India and issue a consequential direction directing the respondents not to demolish the residential houses of the petitioners bearing Nos.1-68 (old) 1-85 New, 1-26 (old) 1-34 New situated at Sunyapadu village, Neredcherla Mandal, Nalgonda District not to close down the drinking water well, not to affect the deity of the village not to demolish the primary school building situated at Sunyapadu village, Neredcherla Mandal, Nalgonda District and issue such other writ, order or direction as the Hon'ble High Court deems fit and proper.”

This Court passed an interim order as under:

“Demolition of the residential houses bearing Nos.1-68 (old), 1-85 (new), 1-26(old) 1-34 (new) situated at Sunyapau village, Nalgonda District affecting closing down of drinking water well, village deity and primary school is stayed till further orders.”

Though Rule Nisi was ordered on 28-01-1999, no counter affidavit has been filed by any of the respondents so far and the interim order dated 28-01-1999 continued to be in operation through out.

Having regard to the facts and circumstances of the case and in the absence of any counter affidavit by the respondents, I deem it appropriate to dispose of the writ petition with a direction to the respondents not to interfere with the properties in question and not to demolish the structures without following due process of law. No costs.

G. ROHINI, J

Dt.04-04-2007
KLP